

**MIDDLETON SCHOOL DISTRICT #134  
POLICY AND PROCEDURE MANUAL  
SECTION 4000 – Community Relations**

**PROHIBITING REGISTERED SEX OFFENDERS FROM ENTRANCE  
TO SCHOOL PREMISES OR ACTIVITIES.....POLICY 4006**

Convicted Sex Offender

State law prohibits a person who is currently registered or is required to register under the sex offender registration act to:

1. Be on or remain on the premises of a school building or school grounds, or upon other properties posted with a notice that they are used by a school, when the person believes children under the age of eighteen (18) years are present and are involved in a school activity or when children are present within thirty (30) minutes before or after a school activity.
2. Loiter on a public way within five hundred (500) feet of the property line of school grounds or a school building when children under the age of eighteen (18) years are present.
3. Be in any vehicle owned, leased or contracted by a school to transport students to or from school or school-related activities when children under the age of eighteen (18) years are present in the vehicle.
4. Reside within five hundred (500) feet of a school, measured from the nearest point of the exterior wall of the offenders' dwelling unit to the school's property line, unless the person's residence was established prior to July 1, 2006.

Provided, however, section numbers 1 and 2 immediately above shall not apply when the person:

- A. Is a student in attendance at the school; or
- B. Is exercising his or her right to vote in public elections;
- C. Has contacted the District Office annually to obtain written permission from the District, to be on the school grounds or upon other property; or
- D. Stays at a homeless shelter (within School District Boundaries) or resides at a recovery facility if such shelter or facility has been approved for sex offenders by the county sheriff or municipal police chief.

[Note: These provisions (A-D) are required for an individual who is dropping off or picking up a student and is the student's parent or legal guardian, is attending an academic conference or other scheduled extracurricular event, or is temporarily on school grounds, during school hours, for the purpose of delivering mail, food, or other items.]

An individual seeking written permission as outlined above (under C) must contact the District at least ten (10) work days prior to the first visit. In determining whether to grant written

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permission as provided above, the District may, in its discretion, consider the nature of the offense committed, the time since an offense has been committed, the safety of the students, the likely disruption caused by the individual's access to the property, or any other factor. The District will provide a response to the requesting individual within seven (7) days of receipt of the request.

Sex Offender Registry Notification

The Superintendent or his/her designee shall request notification of registered sex offenders in the same or contiguous zip codes as any school within the District. The request can be made of to either the Idaho State Police, the local Sheriff's Department, or the Idaho State Superintendent of Public Instruction. Such request and notification shall be made in accordance with Idaho Code. The information in the sex offender registries is for purposes of protecting the public. It is not to be used for the purpose of harassing or intimidating anyone.

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**POLICY & PROCEDURE REFERENCE:**

1006-P1 Prohibiting Registered Sex Offenders from Entrance to School Premises or Activities

**LEGAL REFERENCE:**

I.C. § 18-916 Abuse of School Teachers

I.C. § 18-8323 Public Access to Sexual Offender Registry Information

I.C. § 18-8324 Dissemination of Registry Information

I.C. § 18-8326 Penalties for Vigilantism or Other Misuse of Information

I.C. § 18-8329 Adult Criminal Sex Offenders – Prohibited Access to School Children

I.C. § 33-512(11) Governance of Schools

**ADOPTED: 09/12/06**

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